



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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NOV 27 2002

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Paper NO. 6

In re Application of  
Michael Roberts et al.  
Serial Number: 10/036,022  
Filed: December 26, 2001  
For: GUM-MASSAGING ORAL BRUSH

DECISION ON  
PETITION UNDER  
M.P.E.P. 708.02,II

This is a decision on the Petition to Make Special because of Actual Infringement (37 C.F.R. 1.102 and MPEP 708.02) filed October 30, 2002, along with the requisite fee (paid), in the above-noted application. The petition with accompanying statement does not meet the requirements of Section 708.02 (II)(C) of the MPEP because the applicant failed to provide one copy of each of the references deemed most pertinent to the subject matter encompassed by claims although asserted that reference copy was submitted.

The petition is DISMISSED.

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